



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 2
PART II—Section 2

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 32] नई दिल्ली, सोमवार, अगस्त 22, 1983/श्रावण 31, 1905
No. 32] NEW DELHI, MONDAY, AUGUST 22, 1983/Sravana 31, 1905

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह असंग्रहित संकलन
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bill was introduced in Lok Sabha on the 22nd August, 1983:—

BILL No. 95 OF 1983

A Bill further to amend the Oilfields (Regulation and Development) Act, 1948

Be it enacted by Parliament in the Thirty-fourth Year of the Republic of India as follows:—

1. This Act may be called the Oilfields (Regulation and Development) Amendment Act, 1983.

Short
title.

53 of 1948

2. In section 6A of the Oilfields (Regulation and Development) Act, 1948 (hereinafter referred to as the principal Act), in clause (b) of the proviso to sub-section (4), for the words "four years", the words "three years" shall be substituted.

Amend-
ment of
section
6A.

3. For section 10 of the principal Act, the following section shall be substituted, namely:—

Substi-
tution
of new
section for
section 10.

"10. Every rule made under this Act and every notification issued under sub-section (4) of section 6A shall be laid, as soon as may be after it is made or issued, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session

Laying of
rules and
notifica-
tions.

or the successive sessions aforesaid, both Houses agree in making any modification in the rule or notification or both Houses agree that the rule or notification should not be made or issued, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification."

STATEMENT OF OBJECTS AND REASONS

Sub-section (4) of section 6A of the Oilfields (Regulation and Development) Act, 1948 empowers the Central Government to amend, by notification in the Official Gazette, the Schedule to the Act so as to enhance or reduce the rate at which royalty shall be payable in respect of any mineral oil specified in the Schedule. However, the power of the Central Government to enhance the rate of royalty in respect of any mineral oil is subject to the condition that such enhancement cannot be made in respect of any mineral oil more than once during any period of four years. It is proposed to modify the provision so as to facilitate the enhancement of the rate of royalty after an interval of three years.

2. It is also proposed to avail of the present opportunity to amend, in accordance with the recommendations of the Committees on Sub-ordinate Legislation, section 10 of the Act relating to laying of rules so as to provide therein also for the laying of the notifications under sub-section (4) of section 6A of the Act and bring the provisions of the section into conformity with the formula for laying of rules as recommended by the said Committees.

3. The Bill seeks to achieve the above objects.

NEW DELHI;

The 11th August, 1983.

P. SHIV SHANKAR.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill seeks to amend sub-section (4) of section 6A of the Oilfields (Regulation and Development) Act, 1948 so as to enable the Central Government to issue a notification enhancing the rate of royalty on any mineral oil specified in the Schedule to the Act once during any period of three years, whereas under the existing provision such enhancement cannot be made more than once during any period of four years. Thus, while no fresh power is proposed to be conferred on the Central Government, the existing restriction on the power to enhance the rate of royalty is proposed to be relaxed. The modification is necessary in view of the pace of changes in the factors which have to be taken into account in fixing or enhancing the rates of royalty. As a result of the amendment proposed to section 10 of the Act, all notifications under sub-section (4) of section 6A of the Act will have to be laid before both Houses of Parliament. The delegation of the legislative power involved in the aforesaid modification is, therefore, of a normal character.

AVTAR SINGH RIKHY,
Secretary.